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Docket No. WP 21590 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
)	Unknown
Kuerzinger et al.)	
)	Group Art Unit
Serial No. 10/506,862)	Unknown
)	
Filed September 2, 2004)	
)	
MODIFIED OXIDIC NANOPARTICLE)	May 4, 2005
WITH HYDROPHOBIC INCLUSIONS)	
AND PROCESS FOR PRODUCING SAME)		

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

BOX PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On September 2, 2004, the above-identified non-provisional patent application was filed by Express Mail (Receipt No. EV 421106144 US) with an unsigned declaration under 37 CFR 1.63. In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed April 19, 2005, Applicant encloses herewith the fully executed Declaration and Power of Attorney, along with payment of \$130.00 for the late declaration surcharge. A copy of the Notification of Missing Requirements is also enclosed herewith.

Date of Deposit: May 4, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "First Class Mail" under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of person mailing paper or fee

May 4, 2005
Date

The Commissioner is hereby authorized to charge the \$130.00 surcharge associated with the filing of the late declaration, and any fees which may be required or credit any overpayment, to Deposit Account Number 02-2958, but is not to include any payment of issue fees.

Respectfully submitted

By: 

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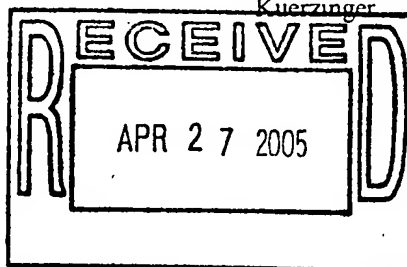
UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450
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157-27-015
RECEIVED

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,862	Kuerzinger	WP 21590 US

23690
 Roche Diagnostics Corporation
 9115 Hague Road
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INTERNATIONAL APPLICATION NO.	
PCT/EP03/02198	
LA. FILING DATE	PRIORITY DATE
03/04/2003	03/06/2002

CONFIRMATION NO. 4697

371 FORMALITIES LETTER



OC000000015761987

Date Mailed: 04/19/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/02/2004
- Copy of the International Search Report filed on 09/02/2004
- Copy of IPE Report filed on 09/02/2004
- Information Disclosure Statements filed on 01/10/2005
- Oath or Declaration filed on 09/02/2004
- Request for Immediate Examination filed on 09/02/2004
- Copy of references cited in ISR filed on 09/02/2004
- U.S. Basic National Fees filed on 09/02/2004
- Priority Documents filed on 09/02/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,862	PCT/EP03/02198	WP 21590 US

FORM PCT/DO/EO/905 (371 Formalities Notice)